* BEFORE THE IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE W/S Cedar Park Court, 250 ft. N * ZONING COMMISSIONER of Cedar Mill Road * OF BALTIMORE COUNTY 9 Cedar Park Court 2nd Election District * Case No. 92-367-A 2nd Councilmanic District Joseph M. Lewis, et ux Petitioners * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open porch with a setback of 5 ft. in lieu of the required 11.5 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-121 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

... WILMED

LES/mmn

the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

Pursuant to the posting of the property and the provisions of both

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore , 1992 that the Petition for a Zoning Variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open porch with a setback of 5 ft., in lieu of the required 11.5 ft., in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > TAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

Bultimore County two epoments zonimetomme i.m. r Office of Planning and Lemma

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Mr. and Mrs. Joseph M. Lewis 9 Cedar Park Court Randallstown, Maryland 21133

> RE: Petition for Residential Zoning Variance Case No. 92-367-A

Dear Mr. and Mrs. Lewis:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

April 28, 1992

Lawrence E. Schmidt Zoning Commissioner

LES:mmun

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and pi attached hereto and made a part hereof, petition for a Variance from Section____ 301-1 To allow an open perch with a setback of

5' in lieu of the required 115' of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

Irregular shaped byton y exit to your yard is on

Property is to be advertised and/or posted as prescribed by Zoning Regulations

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition. JOSCPH M LEWIS Joseph M Leun 9 Cedar Park Court 521-2628 Randallstown, Md. 21133

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this ______ day of ______, 19____, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

ZONING COMMISSIONER OF BALTIMORE COUNTY

Towson, MD 21204

P. C. Br. 94 Cov. or 1/15 2117 833 3565

AFFIDAVIT

IN SUPPORT OF ADMINISTRATIVE VARIANCE The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 9 Cedar Park Court

Randallstown, Marvland 21133
City Randallstown Day Za Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrativ Variance at the above address: (indicate hardehip or practical difficulty) - 100 years sought at any extra Cour pard

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and adversignature)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 19 1 glay of March, 19 92 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Joseph N. Lewis and Carman G. Lewis

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law the saturates) herein, personally known or saturactority mentured to the as such saturates, and make out in due for that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Scal.

March 19, 1992

ZONING DESCRIPTION FOR 9 Cedar Park Court

Beginning at a point on the south side of Cedar Park Ct. which is 50' wide at the distance of 250' of the centerline of the nearest improved intersecting street Cedar Mill Rd. which is 50' wide. Being Lot #22, Block - and Sec. - in the sabdivision of Cedar Mills as recorded in Baltimore County Plat Book # 57, Folio #86 containing 7,078 square feet .16 a. Also known as 9 Cedar Park Court and located in the 2nd Election District and 2nd Council District.

> CERTIFICATE OF POSTING COMING DEPARTMENT OF BALTIMORE COUNTY

92.347-1

to find of a cidar Park Sout Remarks: Date of return: Caprice 15 1992 Number of Signs: ___/

County Office Building

Service Control **Service Service Service** (1985年) - アーニー

Dalabaration 70% COHRD

คือ (บาน เป็นกับ ลัก 03 - 23 - 92 Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue

April 15, 1992

Baltimore County Government Office of Zoning Administration and Development Management

Office of Planning & Zoning

(410) 887-3353

Mr. & Mrs. Joseph M. Lewis 9 Cedar Park Court Randallstown, MD 21133

> RE: Item No. 383, Case No. 92-367-A Petitioner: Jospeh M. Lewis Petition for Administrative Variance

Dear Mr. & Mrs. Lewis:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

....CKUTILMED

Printed on Recycled Paper

Zoning Plans Advisory Committee

Petitioner: Joseph M. Lewis, et ux Petitioner's Attorney:

MUNUFILMEL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

April 15, 1992

Arnold Jablon, Director Zoning Administration & Development Management

Ervin McDaniel, Chief Development Review Section

Office of Planning and Zoning

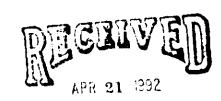
SUBJECT: PETITIONS FROM ZONING
ADVISORY COMMITTEE - APRIL 6, 1992

The Office of Planning and Zoning has no comments on the following petitions:

> Item No. 383 Joseph M. Lewis Anthony S. Rinaldi Item No. 384 George Schiaffino Item No. 386 Item No. 387 Robert H. Wiedefeld Joseph A. Cooper Item No. 388 Item No. 389 Terry Lee Foy Item No. 390 Elliott Weinstein Ronald W. Chapman Item No. 394

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

PETITNS3.ZON



11:17 62

ZONING OFFICE

Date: April 10, 1992

2 13 7-92

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

Rahee J. Famili

SUBJECT: Z.A.C. Comments

389, 390 and 394.

Mr. Supp. A. Mazz

Z.A.C. MEETING DATE: April 6, 1992

This office has no comments for item numbers 383, 384, 387, 388,

Traffic Engineer II

RJF/lvd

(410) 887-3353

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

April 15, 1992

4/122-92

Arnold Jablon, Director Zoning Administration and Development Management

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Comments

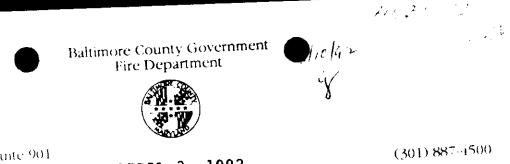
The agenda for the zoning advisory committee meeting of April 6, 1992 has been reviewed by the Department of the Environmental Protection and Resource Management staff.

There is no comment for the following item numbers:

384

SSF:rmp

NO CMNT/GWRMP



700 East Joppa Road, Suite 901 APRIL 3, 1992 Towson, MD 21204 5500

Arnold Jablon Director

Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204

Item No.: *383(LJG)

RE: Property Owner: JOSEPH M. LEWIS AND CARMEN G. LEWIS

#9 CEDAR PARK COURT Location:

Zoning Agenda: APRIL 6, 1992

Gentlemen:

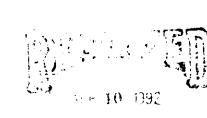
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Noted and Fire Prevention Bureau Planning Group

Special Inspection Division

JP/KEK



ZONING OFFICE

grown A Wigh

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and

Development Management

FROM Robert W. Bowling, P.E., Chief Developers Engineering Division

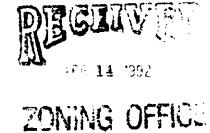
SUBJECT: Zoning Advisory Committee

The Developer's Engineering Division has reviewed the items on the agenda distributed on April 6, 1992. We have no comment on Items numbered 349, 383, 384, 386, 387, 388, 389, 390 and 394.

RWB:DAK:pab

cc: File

ZONADVIS/PB MEMO4



Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

April 2, 1992

Joseph M. and Carmen G. Lewis 9 Cedar Park Court Randallstown, Maryland 21133

2nd Election District - 2nd Councilmanic

Re: CASE NUMBER: 92-367-A LOCATION: W/S Cedar Park Court, 250' N of Cedar Mill Road 9 Cedar Park Court

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before April 12, 1992. The closing date is April 27, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

....UROFILMED



